

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MARY McGuire,)
)
 Plaintiff,)
)
 vs.) Case No. 4:10CV746MLM
)
 J.B. HUNT TRANSPORT, INC. and)
 CHARLES CULVER,)
)
 Defendant.)

ORDER OF REMAND

This matter is before the court for reconsideration of Plaintiff's Motion to Remand. [Doc. 9] By Memorandum Opinion dated June 10, 2010 (Doc. 12) this court ordered that if, within 14 days, plaintiff filed a binding stipulation, declaration or affidavit that she will not seek, ask for or accept any amount of damages in excess of \$75,000.00 exclusive of interest and costs signed by both plaintiff and counsel for plaintiff, the court would reconsider plaintiff's Motion to Remand.

Plaintiff timely filed such a declaration (Doc. 13) and further declared that she would file an identical declaration in the Circuit Court of the City of St. Louis if the case was remanded.

The court finds that plaintiff has (and will) comply with the court's Order. Because she will not seek, ask for or accept any amount of damages in excess of \$75,000.00 exclusive of interest and costs, the amount in controversy is insufficient and this court lacks diversity jurisdiction.

Accordingly,

IT IS HEREBY ORDERED that, following reconsideration as set out above, plaintiff's Motion to Remand is **GRANTED**. [Doc. 9]

IT IS FURTHER ORDERED that the Clerk's Office shall take all appropriate steps to remand this case to the Circuit Court of the City of St. Louis.

IT IS FURTHER ORDERED that within fourteen (14) days of remand, plaintiff shall file a declaration in the Circuit Court of the City of St. Louis identical to the one filed in this court.

/s/Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

Dated this 25th day of June, 2010.